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REMARKS

Claims 1-24 remain in the application.

Claims 1 and 21 are herein amended.

In Item II of the Office action, the Examiner has objected to the drawings under 37 CFR 1.83(a). The Examiner firstly states that the two endless tracks of claim 23 are absent from the drawings. A new Fig. 9 is therefore inserted, which Fig. 9 is fully supported by the application as filed, for instance in paragraph [0031] of the application as published. In view of the addition of Fig. 9, the description is modified so as to introduce reference to Fig. 9 therein. By the addition of Fig. 9, the embodiments with the two tracks and the two degrees of actuation is now illustrated.

Finally, it is respectfully argued that the mercury trigger of claim 24 is fully described and illustrated in the application as filed. More specifically, reference is made to the fact that the mercury level trigger operates in conjunction with the power source 14 and the arms 50, all of which are suitably illustrated in the figures as filed.

In Item III of the Office action, the Examiner has objected to claims 1-23 as being anticipated by Jespersen. It is firstly observed that Jespersen describes an all-terrain vehicle as commonly known. It is clear that such all-terrain vehicles are only equipped with a single engine for the actuation of the tracks. Reference is made to the figures, such as Fig. 6, in which the engine is generally shown at 73. Moreover, a review of the Jespersen reference indicates that the only described embodiments of Jespersen mention the use of a single engine 73. For instance, reference is made to col. 4, lines 57-63, of Jespersen.

As a single degree of actuation is provided for the wheels in Jespersen, a voluminous transmission is required in order to allow rotation of both tracks by the all-terrain vehicle of Jespersen. The transmission is clearly shown in Fig. 6, and is commonly required in vehicles that require different outputs from their wheels/tracks to maneuver for a single degree of actuation (i.e., a single engine).

Therefore, as the Jespersen reference is limited to describing a single degree of actuation for a plurality of outputs, claim 23 clearly patentably distinguishes over Jespersen under 35 USC 102(b).

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With regard to claim 21, the Examiner states that Jespersen describes a brake by way of pinion 144. It is firstly observed that the pinions 144 are not described as being used as brakes in the Jespersen reference. Moreover, it is emphasized that the braking as claimed in claim 21 involves a brake mechanically engaging with the wheels, which wheels are directly connected to the endless track member. This is a key feature of claim 21 in that the wheels represent a sturdy piece of equipment fully capable of sustaining the forces related to braking, whereby a brake can be engaged directly to them. As the brake directly engages the wheels which support the track member, forces are not transmitted from a brake to the track member through a plurality of gear elements, as would be the case in the Jespersen reference. It is seen in the Jespersen reference that the pinions 144 are quite small in diameter, and would therefore not be suitable to sustain the forces related to braking.

Therefore, the limitations of claims 21 and 22 are not described in Jespersen, whereby claims 21 and 22 are deemed to be in order for allowance.

In Item V of the Office action, it is observed that the Examiner maintains his rejection of claim 1, stating that the arm 30 of the anti-roll device of Carstens is free of contact with the inclined surface. Accordingly, claim 1 is amended to emphasize that all parts of the anti-roll device are above a plane of the inclined surface at any time during movement. The contact is clearly unwanted, and is not prevented by Carstens, as it is clearly observed from Carstens that some parts are in contact with the inclined surface, as shown on the cover page of Carstens with the support feet 31. Therefore, claim 1 is deemed to be in order for allowance, whereby the Examiner's reconsideration is earnestly solicited.

Still in Item V of the Office action, the Examiner has objected to claim 13, maintaining the combination of Cates and Thunnell. It is respectfully argued that a person skilled in the art would have had to modify the technologies of Thunnell and Cates in order to arrive at the solution of claim 13. As the central portion 11 of Cates is in the way of the use of the endless track as traction, a person skilled in the art would not have thought of using such traction in combination with a cylindrical roller in order to install a load on the apparatus. As a person of ordinary skill in the art would have had to modify the framing of the Cates conveyor, it is respectfully argued that combining Cates and

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Thunnell would not have led obviously the person skilled in the art to the invention claimed in claim 13. Accordingly, claim 13 as currently on file is deemed to patentably distinguish over these references as combined.

In view of the above amendments remarks, this application is now considered to be in condition for allowance, and early notice to that effect is earnestly solicited.

Respectfully submitted,

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By:



May 29, 2008

(Date)

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Encl.